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Attorneys for Epick Homes, Inc. and Bruce Road
Associates, LP

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

AQUALLIANCE; and CENTER FOR
BIOLOGICAL DIVERSITY,

Plaintiffs,

v.

U.S. FISH AND WILDLIFE SERVICE, et al.,

Defendants.

Case No. 2:21-cv-01527-TLN-DMC

**STIPULATION AND ORDER
GRANTING INTERVENTION OF
EPICK HOMES, INC AND BRUCE
ROAD ASSOCIATES, LP**

*[Filed concurrently with Motion for
Intervention]*

STIPULATIONS

To facilitate Epick Homes' and Bruce Road Associates' intervention, Plaintiffs, Epick Homes, and Bruce Road Associates hereby agree and stipulate as follows:

1. Epick Homes is the developer and Bruce Road Associates is the permittee for the Stonegate Project.
2. Where Epick Homes and Bruce Road Associates and the federal defendants are seeking the same or similar relief, Epick Homes and Bruce Road Associates shall submit any written briefs to the court on the same briefing schedule as the federal defendants or as otherwise ordered by the Court pursuant to a scheduling order.
3. Epick Homes and Bruce Road Associates will file an answer to Plaintiffs' complaint within 20 days of the Court granting the Joint Motion allowing intervention.

1 4. Epick Homes and Bruce Road Associates will not initiate or support a motion to
2 change venue in this case.

3 5. Plaintiffs consent to Epick Homes' and Bruce Road Associates' intervention in
4 this action.

5 6. This Stipulation shall not be used in any way to support Epick Homes' or Bruce
6 Road Associates' intervention in any other case.

7
8 Dated: January 26, 2022

COX, CASTLE & NICHOLSON LLP

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10 By: /s/ Andrew B. Sabey

11 Andrew B. Sabey
12 Scott B. Birkey
13 Robbie C. Hull

14
15 Dated: January 26, 2022

CENTER FOR BIOLOGICAL DIVERSITY

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17 By: /s/ John Buse

18 John Buse
19 Ross Middlemiss

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21 Attorneys for Plaintiffs
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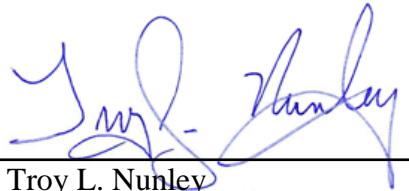
**ORDER GRANTING
INTERVENTION BY EPICK HOMES,
INC AND BRUCE ROAD
ASSOCIATES, LP**

Upon consideration of the stipulations and motion to intervene submitted by applicants for intervention Epick Homes and Bruce Road Associates, the Court hereby GRANTS Epick Homes' and Bruce Road Associates' request to intervene in these proceedings pursuant to Federal Rule of Civil Procedure 24.

Epick Homes and Bruce Road Associates shall file an answer to Plaintiffs' compliant within 20 days of this Order and shall comply with the January 26, 2022 stipulations that Epick Homes, Bruce Road Associates, and Plaintiffs agreed to and filed in support of the motion for Epick Homes and Bruce Road Associates to intervene in this action.

IT IS SO ORDERED.

DATED: January 26, 2022


Troy L. Nunley
United States District Judge